

REMARKS

Claims 1-3 and 5-17 were pending in this application. By way of the present Amendment, claim 1 has been canceled and claims 2 and 5 have been amended. Claim 2 has been amended to include the limitations of canceled claim 1 and the dependency of claim 5 has been amended in view of the cancellation of claim 1. Applicants submit that the present Amendment does not generate any new matter issue. Entry of the present Amendment is respectfully solicited.

In the Board of Patent Appeals and Interferences decision dated July 28, 2004, the rejection of claim 1 under 35 U.S.C. § 102(e) was sustained, however, the rejection under 35 U.S.C. § 102(e) of claims 2, 3 and 5-17 was reversed. Accordingly, by way of the present Amendment, claim 1 has been canceled and, therefore the rejection of claim 1 is moot. Moreover, claim 2 has been recast in independent form to include the limitations of canceled claim 1 and the dependency of claim 5 has been changed to depend from claim 2.

It is respectfully submitted that as the Board has reversed the pending rejection for all of the claims remaining in the instant application, the application is now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP



Brian K. Seidleck
Registration No. 51,321

600 13th Street, N.W.
Washington, DC 20005-3096
202.756.8000 BKS:apr
Facsimile: 202.756.8087
Date: September 23, 2004